

REMARKS

The Office Action mailed April 19, 2007 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Rejection(s) Under 35 U.S.C. § 102

Claims 1-26 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Granstam et al. (U.S. pat. no. 6,587,691). Applicants respectfully traverse.

Considering Claim 1 as an example, the invention according thereto includes a computer whose software sends status check requests to multiple modem units of portable devices. The modem units receive these status check requests and reply to them “without being controlled by the host processor in the portable device.” These features are not disclosed in Granstam. Specifically, Granstam does not disclose a communication exchange in which a status check request is sent from a computer to a modem component of a mobile station (MS), and the modem component then, *without control of a host processor*, responds to the status check request. The passage in col. 6, ll. 31-36 to which the Office Action makes reference merely explains that subscriber information may be stored on a SIM card, which is independent of the IMEI of the device. This is different from the claimed arrangement in which a modem responds to a status request without control of a processor. In fact, no mention of a modem component is made in Granstam, and it is unclear how such a modem component, if present, interacts with any processor of the mobile device 17. No mention of a processor is made in Granstam either. Independent Claims 9 and 16 contain a similar feature to that of Claim 1 discussed above and are therefore not anticipated by Granstam. It will be appreciated that, according to the M.P.E.P., a claim is anticipated under 35 U.S.C. § 102 only if each and every claim element is found, either expressly or inherently described, in a single prior art reference.¹ The aforementioned reasons clearly indicate the contrary, and withdrawal of the 35 U.S.C. § 102 rejection based on Granstam is respectfully urged.

¹ Manual of Patent Examining Procedure (MPEP) § 2131. See also *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Conclusion


In view of the preceding discussion, Applicants respectfully urge that the claims of the present application define patentable subject matter and should be passed to allowance.

If the Examiner believes that a telephone call would help advance prosecution of the present invention, the Examiner is kindly invited to call the undersigned attorney at the number below.

Please charge any additional required fees, including those necessary to obtain extensions of time to render timely the filing of the instant Amendment and/or Reply to Office Action, or credit any overpayment not otherwise credited, to our deposit account no. 50-1698.

Respectfully submitted,
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